

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 20-cr-0207-bhl

v.

RONNIE R. MITCHELL, et al.,

Defendants.

ORDER

This matter comes before the Court on the motion of the United States of America, pursuant to Title 18, United States Code, Section 983(a)(3)(B)(ii)(II), for an order allowing the government to maintain custody of the following property pending resolution of the criminal case: Approximately \$3,067.00 in United States currency, seized on or about November 18, 2020, from the residence of defendant Devereaux A. Patton located in Racine, Wisconsin.

WHEREAS, the seized asset is already in the custody of the government by virtue of process issued in a matter other than this criminal case;

WHEREAS, the government has represented to the Court that it will maintain and preserve the seized asset throughout this criminal case so that the asset will be available for possible forfeiture;

WHEREAS, when the government commences a criminal forfeiture action containing an allegation that one or more specific items of property are subject to forfeiture, and the government has already seized that property by administrative or civil forfeiture process, the government must, under Title 18, United States Code, Section 983(a)(3)(B)(ii)(II), “take the steps necessary to preserve its right to maintain custody of the property as provided in the applicable criminal forfeiture statute;” and

WHEREAS, Title 21, United States Code, Section 853(e)(1) authorizes the Court to take any action necessary to preserve the availability of the property,

IT IS HEREBY ORDERED that, pursuant to Title 21, United States Code, Section 853(3)(1), the government's motion, (ECF No. 108), is GRANTED and the United States and its agencies, including the Drug Enforcement Administration, are authorized to maintain and preserve the seized asset until this criminal case is concluded or pending further order of this Court.

This Court further CONCLUDES that this order satisfies the requirements of Title 18, United States Code, Section 983(a)(3)(B)(ii)(II).

Dated at Milwaukee, Wisconsin on April 16, 2021.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge